

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

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PNC Bank, National Association



Order Filed on June 4, 2024
by Clerk
U.S. Bankruptcy Court
District of New Jersey

In Re:

Brian William Ballentine,

Debtor

Case No.: 19-31911 MBK

Adv. No.:

Hearing Date: 5/22/2024 @ 9:00 a.m.

Judge: Michael B. Kaplan

**ORDER CURING POST-PETITION ARREARS & RESOLVING CERTIFICATION OF
DEFAULT**

The relief set forth on the following pages, numbered two (2) through two (2) is hereby
ORDERED.

DATED: June 4, 2024


Honorable Michael B. Kaplan
United States Bankruptcy Judge

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Debtor: Brian William Ballentine

Case No: 19-31911 MBK

Caption of Order: ORDER CURING POST-PETITION ARREARS & RESOLVING CERTIFICATION OF DEFAULT

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, PNC Bank, National Association, Denise Carlon, Esq. appearing, upon a motion to vacate the automatic stay as to real property located at 114 Musconetcong River R, Washington, NJ, 07882, and it appearing that notice of said motion was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and William S. Wolfson, Esq., attorney for Debtor, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of May 23, 2024, Debtor is in arrears outside of the Chapter 13 Plan to Secured Creditor for payments due March 2024 through May 2024 for a total post-petition default of \$5,541.96 (3 @ \$1,847.32); and

It is further **ORDERED, ADJUDGED and DECREED** that the balance of the arrears in the amount of \$5,541.96 will be paid by Debtor remitting \$1,847.32 by May 30, 2024 as well as \$1,847.32 per month for two months in addition to the regular monthly mortgage payment, which additional payments shall be due by June 30, 2024 and July 31, 2024 until the post-petition arrears are cured; and

It is further **ORDERED, ADJUDGED and DECREED** that regular mortgage payments are to resume June 1, 2024, directly to Secured Creditor's servicer (Note: the amount of the monthly mortgage payment is subject to change according to the terms of the note and mortgage); and

It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtor's Chapter 13 bankruptcy proceeding, if the lump sum payment or any regular monthly mortgage payments are not made within thirty (30) days of the date said payment is due, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtor shall have fourteen days to respond; and

It is further **ORDERED, ADJUDGED and DECREED** that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtor, and Debtor's counsel at the time of submission to the Court; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor is hereby awarded reimbursement of fees and costs in the sum of \$200.00 for attorneys' fees in an amount to be included in a post-petition fee notice, which is to be paid through Debtors' Chapter 13 plan and certification of default is hereby resolved.